

ROBERT K. PHILLIPS, ESQ.
Nevada Bar No. 11441
TIMOTHY D. KUHLS, ESQ.
Nevada Bar No. 13362
LATISHA ROBINSON, ESQ.
Nevada Bar No. 15314
PHILLIPS, SPALLAS & ANGSTADT LLC
504 South Ninth Street
Las Vegas, Nevada 89101
P: (702) 938-1510
E: rphillips@psalaw.net
tkuhs@psalaw.net
lrobinson@psalaw.net

*Attorneys for Defendant
Walmart Inc.*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Case No.: 2:21-cv-02094-JCM-NJK

MARIA DOLORES MORALES BECERRA,
an individual, CLARISSA BECERRA, an
individual, RAYNA BECERRA, an individual
and RICHARD BECERRA, IN HIS
CAPACITY AS SPECIAL ADMINISTRATOR
FOR THE ESTATE OF RAYMOND
BECERRA, DECEASED,

Plaintiffs,

vs.

WALMART INC., a foreign business entity
d/b/a WALMART, DOE INDIVIDUALS 1-10;
ROE ENTITIES I-X, inclusive

Defendant(s).

**ORDER TO EXTEND DISCOVERY
DEADLINES**

[FIRST REQUEST]

Plaintiff MARIA DOLORES MORALES BECERRA, CLARISSA BECERRA, RAYNA BECERRA, and RICHARD BECERRA, IN HIS CAPACITY AS SPECIAL ADMINISTRATOR FOR THE STATE OF RAYMOND BECERRA (hereinafter "Plaintiffs") and Defendant WALMART INC. d/b/a WALMART (hereinafter "Defendant" or "Walmart"), by and through their respective counsel of record, do hereby stipulate to extend the remaining deadlines in the current scheduling order and discovery plan in this matter for a period of sixty (60) days for the reasons explained herein.

Pursuant to Local Rule 6-1(b), the parties hereby aver that this is the first such discovery extension requested in this matter.

DISCOVERY COMPLETED TO DATE

- The parties have conducted an FRCP 26(f) conference and have served their respective FRCP 26(a) disclosures;
- The parties have filed all required documents pursuant to ECF 2 to date;
- Plaintiff has provided provider specific authorizations;

DISCOVERY TO BE COMPLETED AND REASONS FOR EXTENSION OF DISCOVERY

Discovery to be completed includes:

- Defendant written discovery to Plaintiff;
- Plaintiff written discovery to Defendant;
- Deposition of Plaintiff;
- Depositions of Plaintiff's treating physicians;
- Depositions of fact witnesses;
- Disclosure of experts by both parties;
- Depositions of expert witnesses and rebuttal expert witnesses; and
- Plaintiff to notice Defendant's 30(b)(6) deposition.

The parties aver, pursuant to Local Rule 6-1, that good cause exists for the requested extension. The parties agree that, pending this Court's approval, extension of remaining discovery deadlines is appropriate, as Defendant has been awaiting Raymond Becerra executed medical authorizations. As Raymond Becerra is deceased and said records are vital in this lawsuit. Defendant has recently received the requested executed medical authorizations, and Defendant is in the process of subpoenaing said records so this matter can be determined on the merit. As the deadline for expert disclosures is approaching, the parties have agreed to a 60-day discovery extension in order to ensure that meaningful discovery is conducted.

The parties have acted in good faith to request this extension and have no intent, nor reason, to delay the resolution of this matter.

///

[PROPOSED] NEW DISCOVERY DEADLINES

Last Day to Amend Pleadings or Add Parties:

Currently: February 15, 2022

Proposed: **April 18, 2022**

Expert Disclosure Deadline:

Currently: March 17, 2022

Proposed: **May 16, 2022**

Rebuttal Expert Disclosure Deadline:

Currently: April 17, 2022

Proposed: **June 16, 2022**

Discovery Cut-Off Date:

Currently: May 16, 2022

Proposed: **July 15, 2022**

Dispositive Motion Deadline:

Currently: June 15, 2022

Proposed: **August 15, 2022**

Proposed Joint Pre-Trial Deadline:

Currently: July 15, 2022

Proposed: **September 13, 2022**

///

///

///

///

///

///

///

///

If this extension is granted, all anticipated additional discovery should be concluded within the stipulated extended deadline. The parties aver that this request for extension of discovery deadlines is made by the parties in good faith and not for the purpose of delay.

DATED this 7th day of February, 2022.

ROYAL & MILES LLP

/s/ Gregory A. Miles

GREGORY A. MILES, ESQ.
Nevada Bar No. 4336
MICHAEL A. ROYAL, ESQ.
Nevada Bar No. 4370
1522 W. Warm Springs Rd.
Las Vegas, Nevada 89014

Attorneys for Plaintiff

DATED this 7th day of February, 2022.

PHILLIPS, SPALLAS & ANGSTADT LLC

/s/Latisha Robinson

ROBERT K. PHILLIPS, ESQ.
Nevada Bar No. 1144
TIMOTHY D. KUHL, ESQ.
Nevada Bar No. 13362
LATISHA ROBINSON, ESQ.
Nevada Bar No. 15314
504 South Ninth Street
Las Vegas, NV 89101

*Attorneys for Defendant
Walmart Inc.*

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: February 8, 2022